

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Steven R. Mayer,

Plaintiff,

v.

Annette Chambers-Smith, *et al.*,

Defendants.

Case No: 2:20-cv-3637

Judge Graham

Magistrate Judge Deavers

Opinion and Order

Plaintiff Steven R. Mayer, a state prisoner proceeding *pro se*, brought this action under the Americans with Disabilities Act, 42 U.S.C. § 12132, alleging that he was excluded from participating in a drug treatment program at the Mansfield Correctional Institution. Mayer alleged that he has opioid use disorder and that his disorder qualifies as a disability under the ADA. Mayer further alleged that he sought to participate in a Medically Assisted Treatment (MAT) program offered by the Ohio Department of Rehabilitation and Corrections, but was not allowed to do so.

The complaint sought only injunctive relief, namely, that the Court order defendants to admit plaintiff into a MAT program.

Defendants moved to dismiss the complaint on the grounds that plaintiff is not a qualified individual with a disability.

In response, plaintiff stated that he does not oppose dismissal because “the ODRC has implemented a program where inmates such as plaintiff may now receive MAT during their incarceration, and in July of [2022], plaintiff was admitted to the program.” Doc. 26 at p. 1.

Plaintiff asked, however, that dismissal be conditioned upon defendants transferring him to a different correctional institution so he can be closer to his family. The Court is without authority to grant plaintiff’s request. *See Bowles v. Tennessee Dep’t of Corr.-CCA*, No. 3:22-CV-00032, 2023 WL 116342, at *17 (M.D. Tenn. Jan. 5, 2023) (discussing case law holding that federal courts have the authority to order state officials to transfer a prisoner only in “extreme cases” to remedy a constitutional violation); *Moore v. Schuetzle*, 486 F.Supp.2d 969, 981 (D.N.D. 2007) (same).

Because it is undisputed that plaintiff has received the relief which he requested in his complaint, the Court finds that this case is now moot, and it is therefore DISMISSED. *See Thomas Sysco Food Servs. v. Martin*, 983 F.2d 60, 62 (6th Cir. 1993) (pending lawsuit “will become moot when the requested relief is granted”).

s/ James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: January 27, 2023